### IN THE UNITED STATES DISTRICT COURT

### FOR THE EASTERN DISTRICT OF TEXAS

### BEAUMONT DIVISION

GEORGE E. BANKS §

VS. § CIVIL ACTION NO. 1:13-CV-232

WARDEN, USP BEAUMONT §

# ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Petitioner George E. Banks, a federal prisoner confined in Beaumont, Texas, proceeding *pro* se, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court ordered that this matter be referred to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends dismissing the petition without prejudice.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

## ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

So ORDERED and SIGNED this 11 day of March, 2014.

Ron Clark, United States District Judge

Rm Clark